

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Tuesday , January 30, 2018 • 7:59 a.m. • 30 House Building

**Members Present:**

Sen. Allen M. Christensen, Senate Chair  
Rep. Paul Ray, House Chair  
Rep. Raymond P. Ward, House Vice Chair  
Sen. Luz Escamilla  
Sen. Daniel Hemmert  
Sen. Todd Weiler  
Sen. Brian Zehnder  
Rep. Rebecca Chavez-Houck  
Rep. Rebecca P. Edwards  
Rep. Timothy D. Hawkes  
Rep. Sandra Hollins  
Rep. Michael S. Kennedy

Rep. Edward H. Redd

Rep. Norman K. Thurston

**Members Absent:**

President Wayne L. Niederhauser

Sen. Kevin T. Van Tassell

**Staff Present:**

Ms. Alysha S. Gardner, Staff Economist

Mr. Russell T. Frandsen, Fiscal Analyst

Ms. Clare Tobin Lence, Fiscal Analyst

Ms. Annette Harris, Fiscal Analyst Intern

Ms. An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1 . Call to Order**

Chair Christensen called the meeting to order at 8:24 a.m.

**2 . Public Input on Topics on Today's Agenda**

Ms. Michelle McOmber, CEO, Utah Medical Association, addressed item #40 - "Remove 12% Rate Enhancement for Rural Physicians."

Chair Christensen asked clarifying questions and Ms. McOmber responded.

**3 . Report on Health Coverage Improvement Program**

Dr. Joe Miner, Executive Director, Department of Health (DOH), spoke about the department's strategic plans.

Mr. Nathan Checketts, Deputy Director, DOH, explained Medicaid programs to the committee.

Rep. Redd asked questions regarding supportive housing.

Mr. Checketts responded.

Rep. Chavez-Houck asked about maxing out the cap amount that was approved and other issues that could cause people to fall through the cracks.

Mr. Checketts responded to her questions.

Mr. Russell Frandsen, Fiscal Analyst, Office of the Legislative Fiscal Analyst (LFA), clarified some information about potential motions.

Mr. Checketts provided additional information.

**MOTION:** Rep. Thurston moved to approve the following motions from the sheet entitled "Social Services Subcommittee - Motions for Subcommittee Consideration" dated 1/22/2018 10:45 AM: for the Department of Health #2A. The motion passed with a vote of 12 - 0 - 4 .

Yeas-12

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. T. Weiler  
Sen. B. Zehnder

Nays-0

Absent-4

Sen. L. Escamilla  
Sen. W. Niederhauser  
Rep. P. Ray  
Sen. K. Van Tassell

Mr. Checketts continued with his presentation.

Rep. Redd asked questions about the expenditures listed on the sheet and Mr. Checketts responded.

**4 . Options to Address Costs of New Blockbuster Drugs**

Ms. Emma Chacon, Operations Director, DOH, presented information.

Chair Christensen commented on the prices of some drugs and Ms. Chacon provided more information.

Rep. Redd asked about the pricing of pharmaceuticals and how much money is spent by the state on blockbuster drugs.

Rep. Ward asked several questions regarding Medicaid expenditures. Ms. Chacon and Mr. Checketts responded.

Chair Christensen commented on how much the state spends on pharmaceuticals.

[6a-NCSL - Memo on high cost of Medicaid Drugs](#)

Mr. Frandsen gave clarifying information about step therapy drug programs.

## **5 . Access Monitoring Review Plan**

[7-Issue Brief - 2018 General Session - Access Monitoring Review Plan - Medicaid Fee-for Services](#)

Mr. Frandsen explained the document.

## **6 . Downward Participation Trend of Certain Medicaid Providers**

[8-Issue Brief - 2018 General Session - Provider Participation in Medicaid - Trends Over Time](#)

Ms. Annette Harris, Fiscal Analyst Intern, LFA, explained the document.

Rep. Redd asked some clarifying questions and Ms. Harris responded.

Rep. Ward asked if the numbers reflect nurse practitioners and physicians assistants. Ms. Harris said they do not.

Ms. Janica Gines, Assistant Director, Division of Medicaid and Health, DOH, also answered Rep. Ward's questions.

Mr. Checketts added more information on the charts and answered questions asked by Rep. Redd and Rep. Ward.

Rep. Redd asked if Medicaid limits rural fee for service care where no ACO plan is available. Mr. Checketts responded.

## **7 . External Quality Review Report of Results**

[9-Summary of Annual External Quality Review Report of Results](#)

Mr. Frandsen addressed Rep. Ward's concerns. He then explained the Summary of Annual External Quality Review Report to the committee.

## **8 . Restriction of Initial Prescriptions for Short Acting Opiates**

[10-Restriction of Initial Prescriptions for Short Acting Opiates](#)

Mr. Frandsen explained the document to the committee.

## **9 . 9:20 a.m. 90 Day Generic Prescription Program Report**

[11-90 Day Generic Prescription Program Report](#)

Mr. Frandsen explained the report to the committee.

Rep. Redd asked how providers are informed what medications qualify for the 90 Day Prescription Program.

Mr. John Curless, Director, Bureau of Coverage and Reimbursement Policy, DOH, responded. Ms. Chacon provided additional information.

Rep. Kennedy asked about defaulting to a 90 day refill. Ms. Chacon responded.

Rep. Ward commented on Medicaid switching over to the 90 day prescription program.

Mr. Frandsen explained possible changes to the proposed motion.

**MOTION:** Rep. Kennedy moved to adopt the language proposed by Mr. Frandsen in 1X and approve the motion. The motion passed with a vote of 13 - 0 - 3 .

Yeas-13

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Sen. L. Escamilla  
Rep. T. Hawkes  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. T. Weiler  
Sen. B. Zehnder

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. W. Niederhauser  
Sen. K. Van Tassell

Rep. Redd made a comment and suggested a possible change in the motion.

Mr. Checketts responded.

**10 . Update on Changing Estate Collections From Waiver to Deferral for Surviving**

Ms. Chacon explained the issue and the need for a statutory change.

Chair Christensen asked a clarifying question and Ms. Chacon responded.

## **11 . Review of Department of Health's Medicaid and Health Financing Budget**

Mr. Frandsen explained possible motions for the committee's consideration. He discussed item # 32 - "Nursing Facility Upper Payment Limit Increased Administrative Medicaid Seed Money."

Nate Checketts explained the services provided by the department in the areas of proposed cuts.

Rep. Ward asked a clarifying question about billing. Mr. Checketts responded.

Rep. Redd asked if anyone else besides Rep. Ward understands what was just talked about.

Mr. Frandsen explained item #33 - "Increase in Medicaid Administrative Seed Money."

Mr. Checketts responded.

Mr. Frandsen explained item #34 - "Reduced Mailing Costs via Electronic Notifications."

Mr. Checketts responded.

Mr. Russell continued presenting possible motions for the committee to consider.

Mr. Checketts responded.

### [13b-Health Medicaid Expansion Purposes For Which Money Was Used FY 2017](#)

**MOTION:** Rep. Ray moved to approve the following motions from the sheet entitled "Social Services Subcommittee - Motions for Subcommittee Consideration" dated 1/22/2018 10:45 AM: for the Department of Health #4J, 5K, 5L, 5M, 5N, 5O. The motion passed with a vote of 13 - 0 - 3 .

#### Yeas-13

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Sen. L. Escamilla  
Rep. T. Hawkes  
Rep. S. Hollins  
Rep. M. Kennedy

#### Nays-0

#### Absent-3

Sen. D. Hemmert  
Sen. W. Niederhauser  
Sen. K. Van Tassell

Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. T. Weiler  
Sen. B. Zehnder

**12 . 9:55 a.m. Review of Department of Health's Children's Health Insurance Program Budget**

Mr. Frandsen explained the budget to the committee.

Mr. Checketts added more information.

Mr. Frandsen explained some changes in CHIP and Medicaid.

[15d-Health Children's Health Insurance Program Purposes For Which Money Was Used FY 2017](#)

Mr. Checketts explained what areas the DOH is focusing on in their programs.

Mr. Frandsen presented line item #36 - "Additional Savings from Mental Health Preferred Drug List." Mr. Checketts responded.

Mr. Frandsen presented #37 - "Unused Primary Care Network Slots".

Mr. Checketts responded.

Mr. Frandsen provided additional information about enrollment..

Rep. Redd asked why there are unused slots. Mr. Checketts responded.

Mr. Frandsen explained #38 - "End Utah Premium Partnership Program" to the committee.

Mr. Checketts responded.

Chair Christensen commented that he believed cuts in this area are counter-productive.

Mr. Frandsen explained #39 - "Remove 20% Rate Enhancements for Rural and Oral Surgeon Dentists" and #40 - "Remove 12% Rate Enhancement for Rural Physicians" to the committee.

Chair Christensen commented on the effects of the enhancement to the reimbursement rate for rural dentists.

Checketts responded.

Mr. Frandsen explained #41 - "Medicaid - Reduce Eligibility for Breast and Cervical Cancer Group from 250% FPL to 100% FPL."

Mr. Checketts responded.

Rep. Ward commented on exchange insurance subsidies and asked if the covered women could migrate over to the exchange.

Mr. Checketts responded.

Rep. Thurston asked why other types of cancer are not covered under this program and if the program could continue funding for women currently eligible but not enroll any new patients.

Mr. Checketts responded.

Rep. Kennedy asked about the state helping to pay deductibles and co-pays for new enrollees and Mr. Checketts responded.

Mr. Frandsen explained #42 - "Medicaid - No Pregnant Women Over 21 to Receive Dental and Vision Services in Medicaid" to the committee.

Mr. Checketts responded.

Mr. Frandsen explained #43 - "Surplus Funds in Medically Complex Children's Waiver" to the committee.

Mr. Checketts responded.

Rep. Ward asked about the total amount of need if everyone who needed the service was receiving it. Mr. Checketts responded.

Chair Christensen talked about a bill that will expand or continue the waivers.

Rep. Redd explained that it is his bill that seeks to continue the waivers.

Mr. Frandsen explained #44 - "End Medicaid Non-emergency Medical Transportation. "

Mr. Checketts responded.

Chair Christensen asked Dr. Redd if this transportation is available in rural areas.

Rep. Redd responded.

Mr. Frandsen explained possible motions for the committee to consider.

Mr. Checketts responded.

Chair Christensen asked Mr. Frandsen to point out two motions that the division recommend again.

Mr. Frandsen responded that they are 2H and 2J.

Rep. Thurston asked a procedural question.

Mr. Checketts responded at the request of Chair Christensen.

**MOTION:** Rep. Ray moved to approve the following motions from the sheet entitled "Social Services Subcommittee - Motions for Subcommittee Consideration" dated 1/22/2018 10:45 AM: for the Department of Health #1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1Y, 1AA, 4L, 4M, 5P, 5Q. The motion passed with a vote of 13 - 0 - 3 .

Yeas-13

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Sen. L. Escamilla  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. B. Zehnder

Nays-0

Absent-3

Sen. W. Niederhauser  
Sen. K. Van Tassell  
Sen. T. Weiler

**13 . of Department of Health's Medicaid Sanctions Budget**

Mr. Frandsen explained possible motions for the committee to consider.



**MOTION:** Rep. Ray moved to approve the following motions from the sheet entitled "Social Services Subcommittee - Motions for Subcommittee Consideration" dated 1/22/2018 10:45 AM: for the Department of Health 34K, 5T. The motion passed with a vote of 13 - 0 - 3 .

Yeas-13

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Sen. L. Escamilla  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. B. Zehnder

Nays-0

Absent-3

Sen. W. Niederhauser  
Sen. K. Van Tassell  
Sen. T. Weiler

Mr. Frandsen talked about 1B.

Ms. Clare Tobin Lence, Fiscal Analyst, LFA, explained what will be discussed in the next meeting.

**MOTION:** Rep. Ray moved to adjourn. The motion passed with a vote of 13 - 0 - 3 .

Yeas-13

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. R. Edwards  
Sen. L. Escamilla  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Rep. R. Ward  
Sen. B. Zehnder

Nays-0

Absent-3

Sen. W. Niederhauser  
Sen. K. Van Tassell  
Sen. T. Weiler

Chair Christensen adjourned the meeting at 10:56 a.m.